

From: Steve at The Otter Project [<mailto:steve1096@sbcglobal.net>]
Sent: Thursday, March 02, 2006 6:25 AM
To: mlpa_iteam@resources.ca.gov; Melissa Miller-Henson
Cc: 'Garrison, Karen'; 'Kaitilin Gaffney'
Subject: Package S

March 2, 2006

Re: Package S

Dear MLPA-I Team:

First, we would like to thank you for your obvious hard work and dedication to the MLPA process. We applaud your efforts in the creation of Package S; it's obvious from the quality of all packages that the process you have led us through is bringing us towards a good result for California. We do have several concerns about Package S and would like to offer some observations and suggestions for improvement of Package S consistency with the MLPA. In the interest of time, we have limited our comments to issues related to MLPA Goals 1, 2, 4 and 6.

In the broad view, we have several concerns about Package S.

- Package S appears to favor SMR plus SMCA-High combinations over larger SMRs that extend into deeper waters offshore. We believe this approach could undermine the ability of Package S to meet the requirements of the

MLPA: "Similar types of marine habitats and communities shall be replicated, to the extent possible, in more than one marine life reserve in each biogeographical region" (F&G Code Section 2857 (c)(3)). A review of the habitat coverage and replication of Package S SMRs is essential to determining whether it meets the requirements of the law.

- Package S appears to favor more closely spaced, but smaller MPAs over larger ones. This is evident in the SAT Size and Spacing Analysis which notes that only 22% of high protection MPA clusters in Package S are in the Master Plan Framework Scientific Guidelines "preferable" size range for area (as compared to 44% in Package 2). MPA size matters to the development of populations of larger fish. While Package S has greater edge-effects, it may well sacrifice the protection of 'big old female' fish that could range outside of a small MPA and be caught. We recommend expansion or consolidation of MPAs to ensure Package S MPAs are large enough to protect key species.

- Package S allows take of critical prey species (pelagic finfish such as anchovy, herring and sardines and in some cases even squid) in SMCAs located offshore of SMRs that appear to be designed to help protect other fish, seabirds, and marine mammals. Research shows that these forage fish are an important food source for many of the species listed on the "Species Likely to Benefit from MPAs" document prepared by the Science Advisory Team including commercially, recreationally and ecologically important larger fish such as rockfish as well as birds and marine mammals (Love, Yoklavich and Thorsteinson (2002) The Rockfishes of the Northeast Pacific. University of California Press, Berkeley, California. Baltz, DM, GV Morejohn (1977) Food habits and niche overlap of seabirds wintering on Monterey Bay, California. The Auk 94: 526-543. Morejohn, GV, JT Harvey et al. (1978) The importance of *Loligo opalescens* in the food web of marine vertebrates in Monterey Bay, California. Fish Bulletin 169: 67-184). Allowing depletion of the forage base adjacent to an SMR is inconsistent with the primary goals of the MLPA: "To protect the natural diversity and abundance of marine life, and the structure, function, and integrity of marine ecosystems" and with the adopted Regional Goals and Objectives for the Central Coast Region (Goal 1, Objective 4: Protect natural trophic structure and food webs in representative habitats and Goal 2, Objective 1: Help protect or rebuild populations of rare, threatened, endangered, depleted or overfished species, where identified, and the

habitats and ecosystem functions upon which they rely). Predator-prey relationships are a key component of ecosystem function and structure and protecting these relationships should be a fundamental consideration in MPA design. We recommend that take of critical prey species not be allowed in Package S SMCA that are designed to meet ecological goals and objectives.

Specific observations include:

- The alongshore span of the Point Sur SMR and SMCA (3.6 miles) is too small to protect the important underwater bench offshore Point Sur. The northern boundary of this area should extend to Point Sur, at least.
- The Point Sur SMCA allows the take of forage species. In this area, especially, forage fish should not be taken. Allowing take of forage fish to reduce fishery impacts unreasonably sacrifices ecological goals. The 'gain' in fisheries value can be estimated by comparing packages 2 and S. Package S Point Sur SMCA allows fishing for pelagic finfish. Package 2 Point Sur SMR (bigger and thus overstating the comparative impacts) does not allow take of forage fish and has impacts on anchovy of 1.16%, mackerel 1.4%, and sardine 1.17% of stated value in Central Coast fishing grounds.
- Point Sur SMCA (shallowest depth 116 feet) has been assigned SMCA-High consideration by the SAT, but does not appear to qualify for this level of protection and should be re-categorized as a "moderate protection SMCA." In general only SMCA that prohibit all fishing in areas less than 50 meters deep qualify for high protection status. The only exception to this rule is "for those SMCA whose inshore boundary extends to about 30 m, in primarily sand habitat." The fine scale bottom habitat data for the Point Sur areas demonstrates that the Package S Point Sur SMCA includes rocky reef habitat in the 30 m to 50 m depth range. Therefore this SMCA does not qualify for high protection status. We suggest that the Point Sur SMR boundaries be moved further offshore to protect to a depth of (at a minimum) 50 meters.
- The small gaps between Point Sur, Julia Pfeiffer Burns, and Big Creek SMRs are problematic. As noted above, this configuration discourages the propagation and retention of mature fish. We believe two - much larger - SMRs would provide far stronger conservation benefits than three smaller ones.
- Piedras Blancas and Point Lobos SMCA allow the take of forage species. In these areas of extraordinarily high value to seabirds and marine mammals, take of forage species should not be allowed. Again, the loss to fisheries by not allowing this take is negligible. Comparing against Package 2 at Piedras Blancas, losses to anchovy are 1.09%, mackerel 1.19%, and sardine .97%. For Point Lobos, the fishery losses are even more negligible: losses to squid are 0.15% and anchovy .52%; not worth the ecological benefit of leaving these forage fish in the water to feed other fish, birds, and marine mammals.

Thank you for your hard work, dedication, and consideration.

Sincerely,
Steve Shimek, Kaitilin Gaffney, Karen Garrison

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